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*Attorneys for Defendant  
Tesla, Inc. fka Tesla Motors, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MALCOLM SHEPHERD,

Plaintiff,

vs.

TESLA, INC., (a.k.a. TESLA MOTORS, INC.)  
a Delaware Corporation; DOES I-X; and, ROE  
Business Entities I-X,

Defendants.

Case No.

**NOTICE TO FEDERAL COURT OF  
REMOVAL OF CIVIL ACTION  
FROM STATE COURT**

Pursuant to 28 U.S.C. § 1332(d), Defendant hereby notifies the Court of the removal of *Malcolm Shepherd v. Tesla, Inc., (a.k.a. Tesla Motors, Inc.) a Delaware Corporation; DOES I-X; and, ROE Business Entities I-X*, Case No. A-24-907076-C, which was filed in the Eighth Judicial District Court in Clark County, Nevada. In support of said removal, Defendant states as follows:

1. On November 29, 2024, an action was commenced in the Eighth Judicial District Court of Clark County, Nevada, entitled *Malcolm Shepherd v. Tesla, Inc., (a.k.a. Tesla Motors, Inc.) a Delaware Corporation; DOES I-X; and, ROE Business Entities I-X*. A copy of the Complaint is attached hereto as **Exhibit A**.

2. Defendant was served on February 14, 2025 with a copy of the Complaint and a Summons issued by the state court on or about December 5, 2024. A copy of the Summons is attached hereto as **Exhibit B**.

3. This action is properly removed to federal court under federal question jurisdiction because Plaintiff's Complaint contains claims which arise under federal law, specifically, Title VII

1 of the Civil Rights Act of 1964, 42 U.S.C. § 2000e and the Civil Rights Act of 1866, 42 U.S.C. §  
2 1981. *See* 28 U.S.C. § 1441.

3 4. This Notice of Removal is being filed within thirty (30) days of receipt of any  
4 pleadings setting forth the claim for relief upon which the action is based and is, therefore, timely  
5 under 28 U.S.C. § 1331 and § 1446(b).

6 5. This action is a civil action of which this Court has original jurisdiction under 28  
7 U.S.C. § 1331, and is one which may be removed to this court pursuant to the provisions of 28  
8 U.S.C. § 1441(b), in that it is a civil action arising under the Constitution, laws, or treaties of the  
9 United States. Specifically, Plaintiff alleges conduct in violation of the Title VII of the Civil Rights  
10 Act of 1964, 42 U.S.C. § 2000e and the Civil Rights Act of 1866, 42 U.S.C. § 1981. Any remaining  
11 state law claims are also properly removed pursuant to the Court's supplemental jurisdiction. 28  
12 U.S.C. § 1367(a).

13 6. Venue is proper in the unofficial northern division of this court, pursuant to Local  
14 Rule IA 1-6, as the complaint states the events giving rise to this lawsuit occurred in Storey County,  
15 Nevada. Venue is proper as this is the court for the district and division embracing the place where  
16 the action is pending in state Court. 28 U.S.C. § 1391.

17 WHEREFORE, Defendants pray that the above-referenced action now pending in the  
18 Eighth Judicial District Court of the State of Nevada in and for the County of Clark be removed  
19 therefrom to this Court.

20 Dated this 7<sup>th</sup> day of March, 2025.

21 JACKSON LEWIS P.C.

22  
23 /s/ Deverie J. Christensen  
24 Deverie J. Christensen, Bar # 6596  
25 300 South Fourth Street, Suite 900  
26 Las Vegas, Nevada 8910

27 *Attorney for Defendant*  
28

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on this 7<sup>th</sup> day of March, 2025, I caused to be served via the Court's CM/ECF Filing, a true and correct copy of the above foregoing **NOTICE TO FEDERAL COURT OF REMOVAL OF CIVIL ACTION FROM STATE COURT** properly addressed to the following:

James P. Kemp, Esq.  
Kemp & Kemp  
7435 W. Azure Drive, Ste. 110  
Las Vegas, Nevada 89130

*Attorney for Plaintiff*  
*Malcolm Shepherd*

/s/ Kelley Chandler  
Employee of Jackson Lewis P.C.

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